Remarks:

Reconsideration of the application, as amended herein, is respectfully requested.

Claims 16 – 19 and 21 - 28 are presently pending in the application. Claim 22 was amended to correct a typographical error. Claims 1 – 15 and 20 were previously canceled. As it is believed that the claims were patentable over the cited art in their previously presented form, the claims have not been amended to overcome the references.

Item 2 of the Office Action requested that the term "special hardware" be clarified. It was alleged that, in its broadest sense, "special hardware" could be interpreted as being software only. Applicants believe that the meaning of this term, in the context of the claims, would be understood, on its face, by a person of ordinary skill in the art.

In item 4 of the Office Action, claims 16 – 19 and 21 - 27 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U. S. Patent Application Publication No. 2001/005382 to Cave et al ("**CAVE**") in view of U. S. Patent No. 5,838,996 to DeCarmo ("**DECARMO**"). In item 5 of the Office Action, claim 28 was rejected under 35 U.S.C. § 103(a) as allegedly being obvious over **CAVE** in view of **DECARMO,** and

further in view of H. Schulzrinne, "Request for comments:

2833", May 2000 ("**SCHULZRINNE**").

Applicants respectfully traverse the above rejections.

More particularly, claim 16 recites, among other limitations:

> controlling the speech dialogue system by **a control
> device that**, independently of the selected codec,
> **sends a signaling message to the first packet network
> terminal** and that message stipulates the use of out-
> of-band signaling; and

Thus, Applicants' claim 16 requires, among other things, **a

control device that sends a signaling message to the first

packet network stipulating the use of out-of-band signaling.**

Page 3 of the Office Action alleges that paragraph [0027] of

the **CAVE** reference "sends a signaling message to the first

packet network terminal and that message stipulates the use of

out-of-band signaling". Applicants respectfully disagree.

More particularly, paragraph [0027] of **CAVE,** states:

> Thus in a further preferred embodiment of the present
> invention, **a gateway or browser may convert user input
> indication signals** (e.g., DTMF signals from a
> telephone, or keyboard input from an IP phone)
> received from a party connected via the gateway or
> browser into user input indication messages in an out-
> of-band channel in the H.323 protocol to be read by
> the packet VRU, separate from the redirected media
> streams. This may be especially useful for higher
> compression schemes (e.g., G.723) which cannot
> properly compress and decompress user input indication

signals in-band with the voice signal. By using user
input indication messages, the packet VRU
advantageously does not need to receive the media
streams if the sole reason is to detect user input
indication signals, and this approach also circumvents
the digital signal processing associated with in-band
user input indication detection. Thus the packet VRU
may redirect the media streams to travel directly
between the parties without passing through the packet
VRU, and still maintain call control, including
receiving user input indication messages from the
users. **Alternatively, if the receiving party also
needs to receive user input indication signals, for
example if the receiving party is a synchronous VRU
monitoring user input indication signals, then either
the originating gateway or the packet VRU can send the
user input indication messages to the destination
gateway, which may then convert the messages back into
actual user input indication signals added into the
voice signal.** [emphasis added by Applicants]

As can be seen from paragraph [0027] of **CAVE,** pointed to in

the Office Action, the **CAVE** reference does <u>not</u> teach or

suggest, among other things, **a control device that sends a**

signaling message to the first packet network terminal and

that message stipulates the use of out-of-band signaling, as

required by Applicants' claim 16. Rather, the **CAVE** reference

specifically teaches receiving **in-band** user input indication

signals from a "first packet network terminal" (i.e., **DTMF**

signals from a telephone, or keyboard input from an IP phone)

<u>**and converting them to out-of-band signals**</u> for processing by

the packet VRU remotely. Nothing in the cited portion of

CAVE, or any other discloses that the gateway or browser

disclosed in **CAVE** sends a message to the **telephone or IP phone**

of **CAVE** <u>**stipulating the use of out-of-band signals**</u>, as

required by Applicants' claims. To the contrary, the gateway or browser of **CAVE** receives the signals from the phone of **CAVE** and converts them, thus, the alleged "first packet network terminal" of **CAVE** is never notified of an out-of-band requirement, nor, because of the conversion, does it need to receive such a stipulation from the control device.

As such, the **CAVE** reference does not teach, among other limitations of Applicants' claims, a control device that sends a signaling message to the first packet network terminal and that message stipulates the use of out-of-band signaling, as required by Applicants' claim 16. The **DECARMO** reference does not cure the above-discussed deficiencies of the **CAVE** reference.

Additionally, Applicants' claims 16 and 28 require, among other limitations:

> providing a first speech dialogue system, the first speech dialogue system having no special hardware for the support of in-band signaling;

Applicants' independent claim 22 recites, among other limitations:

> a first speech dialogue system, the first speech dialogue system having no hardware devices for the support of in-band signaling;

As such, Applicants' claims require, among other things, no special hardware (claims 16 and 28) or no hardware for the support of in-band signaling.

Pages 3 and 6 of the Office Action point to paragraph [0027] of the **CAVE** reference as allegedly disclosing this feature of Applicants' claims. Applicants respectfully disagree.

As discussed hereinabove, paragraph [0027] of the **CAVE** reference actually shows that **CAVE** supports in-band signaling – by providing a gateway or browser that is configured to convert the in-band signals to out-of band signals. Thus, **CAVE** clearly discloses that the first speech dialogue system includes special hardware devices configured for the support (i.e., the recognition and conversion of) in-band signaling, contrary to Applicants' claimed invention.

The **DECARMO** reference discloses a system for determining the presence of hardware decompression, selectively enabling hardware-based and software based decompression, and conditioning the hardware when hardware decompression is available. In **DECARMO**, a common, uncompressed data interchange format is used for applications regardless of any compression technique that may have been used to create a data file. The **DECARMO** reference does **not** teach or suggest, among

other limitations of Applicants' claims, a first speech

dialogue system, the first speech dialogue system having no

special hardware for the support of in-band signaling. Thus,

DECARMO does not cure the above-discussed deficiencies of the

CAVE reference.

For the foregoing reasons, among others, Applicants' claims

are believed to be patentable over any combination of the **CAVE**

and **DECARMO** references cited in the Office Action. The

SCHULZERINNE reference, cited in the Office Action in

combination with the **CAVE** and **DECARMO** references against

Applicants' independent claim 28, does not cure the above-

discussed deficiencies of the **CAVE** and **DECARMO** references.

It is accordingly believed that none of the references,

whether taken alone or in any combination, teach or suggest

the features of claims 16, 22 and 28. Claims 16, 22 and 28

are, therefore, believed to be patentable over the art. The

dependent claims are believed to be patentable as well because

they all are ultimately dependent on claims 16, 22 or 28.

In view of the foregoing, reconsideration and allowance of

claims 16 – 19 and 21 - 28 are solicited.

In the event the Examiner should still find any of the claims

to be unpatentable, counsel would appreciate receiving a

telephone call so that, if possible, patentable language can

be worked out.

If an extension of time for this paper is required, petition

for extension is herewith made.

Please charge any fees that might be due with respect to

Sections 1.16 and 1.17 to the Deposit Account of Lerner

Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,

/Kerry Pauline Sisselman/
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